

James A. Patten (ID #1191)  
Molly S. Considine (ID #13800)  
**PATTEN, PETERMAN, BEKKEDAHL & GREEN, P.L.L.C.**  
2817 2<sup>nd</sup> Avenue North, Ste. 300  
P.O. Box 1239  
Billings, MT 59103-1239  
Telephone (406) 252-8500  
Facsimile (406) 294-9500  
Email: [apatten@ppbglaw.com](mailto:apatten@ppbglaw.com)  
[mconsidine@ppbglaw.com](mailto:mconsidine@ppbglaw.com)

Attorneys for Debtor

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA

IN RE:	)	Case No. 1:25-bk-10010-BPH
	)	Chapter 11
	)	
KC TRANSPORT, LLC,	)	
	)	
Debtor.	)	

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**APPLICATION TO APPROVE EMPLOYMENT OF PROFESSIONALS;  
AND AFFIDAVIT**

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The Application of KC TRANSPORT, LLC, (“Debtor”), filed on Debtor’s behalf, of  
Patten, Peterman, Bekkedahl, and Green, PLLC, respectfully represents:

1. On the 24th day of January, 2025, the Debtor filed a petition herein under Chapter 11 of the Bankruptcy Code.
2. Debtor wishes to employ **JAMES A. PATTEN, MOLLY S. CONSIDINE** and the **PATTEN, PETERMAN, BEKKEDAHL & GREEN, PLLC** law firm (collectively, the “Professional”) in the capacity as attorneys.

3. Debtor has selected Professional for the following reasons: they are experienced and knowledgeable of (i) the Debtor's business affairs, (ii) Chapter 11 cases, and (iii) bankruptcy in general.

4. The professional services that Professional is to render include: general counseling and local representation before the Bankruptcy Court in connection with this case and to assist special counsel relative bankruptcy implications and procedures regarding the Debtor's dispute with the Blackfeet Tribe.

5. To the best of the Debtor's knowledge, Professional has no connection with the creditors, or any other party in interest, or their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, and are "disinterested person(s)" as defined in 11 U.S.C. 101(14).

6. The terms of employment of Professional, agreed to by the Debtor, subject to the approval of the Court, are:

- a. Services rendered by the attorney, **JAMES A. PATTEN**, will be billed at the rate of \$450.00 per hour. Services rendered by the attorney, **MOLLY S. CONSIDINE**, will be billed at the rate of \$350.00 per hour. Services rendered by other attorneys will be billed at their customary hourly rates which range from \$250.00 to \$400.00 per hour.
- b. Services rendered by paralegal Diane S. Kephart will be compensated at the rate of \$195.00 per hour. Services rendered by paralegal, Alejandra Martinez will be compensated at the rate of \$110.00 per hour. Services rendered by other paralegals will be billed at their customary hourly rates which range from \$90.00 to \$175.00.

c. Telephone, photocopying, fax, and postage at cost; travel at the rate allowed by the IRS per mile; out-of-pocket expenses at cost. The Professional has no fee sharing agreement.

d. Debtor has paid a retainer in the amount of \$19,963.00.

7. Professional represents no interest adverse to Debtor or the estate in the matters upon which Professional is to be engaged, holds no and represents no interest adverse to the estate, and are disinterested within the meaning of 11 U.S.C. § 327. Professional's employment is in the best interest of this estate.

WHEREFORE, Debtor respectfully requests that the Court approve Professional's employment under the terms specified herein.

DATED this 24th day of January, 2025.

KC TRANSPORT, LLC

By: /s/Kenneth Cole Wirth  
Kenneth Cole Wirth  
Member

### **DECLARATION OF JAMES A. PATTEN**

1. I am James A. Patten and make this Declaration upon my personal knowledge.
2. I am a Partner with the firm of Patten, Peterman, Bekkedahl & Green, PLLC.
3. Neither I, nor the firm of Patten, Peterman, Bekkedahl and Green, PLLC, have any connection with the creditors, or any other party in interest, or their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, and are “disinterested person(s)” as defined in 11 U.S.C. 101(14).
4. I represent no interest adverse to the Debtor, or the estate in the matters upon which I am to be engaged.
5. I have received a retainer in the amount of \$19,963.00.

I declare under penalty of perjury and under the laws of the State of Montana that the foregoing is true and correct.

Dated this 24th day of January, 2025, at Billings, Montana.

By: /s/JA Patten  
James A. Patten

**CERTIFICATE OF SERVICE**

I, the undersigned, do hereby certify under penalty of perjury that on the 24th day of January, 2025 a copy of the foregoing was served by electronic means pursuant to LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail upon the following parties:

None.

By: /s/JA Patten  
For Patten, Peterman, Bekkedahl & Green